

SENATE BILL 534
By Fowler

AN ACT to amend Tennessee Code Annotated, Section 16-2-101;
Section 16-3-101; Section 16-4-102; Section 16-5-102;
Section 17-1-103 and Title 17, Chapter 4, relative to
judicial elections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1.

(a) Tennessee Code Annotated, Section 16-2-101(a), is amended by deleting the words, figures and symbols "divided into the three (3) grand divisions described in §§ 4-1-201 -- 4-1-204." and by substituting instead the following:

divided into three (3) grand divisions as provided in subsections (b), (c) and (d).

(b) Tennessee Code Annotated, Section 16-2-101, is amended by deleting subsection (b) and by substituting instead the following subsections:

(b) The eastern grand division comprises the counties of Anderson, Blount, Bradley, Campbell, Carter, Claiborne, Cocke, Grainger, Greene, Hamblen, Hamilton, Hancock, Hawkins, Jefferson, Johnson, Knox, Loudon, McMinn, Monroe, Polk, Sevier, Sullivan, Unicoi, Union, and Washington.

(c) The middle grand division comprises the counties of Bedford, Bledsoe, Cannon, Cheatham, Clay, Coffee, Cumberland, Davidson, DeKalb, Fentress, Franklin, Grundy, Jackson, Lincoln, Macon, Marion, Marshall, Meigs, Moore, Morgan, Overton, Pickett, Putnam, Rhea, Roane, Robertson, Rutherford, Scott, Sequatchie, Smith, Sumner, Trousdale, Van Buren, Warren, White, Williamson and Wilson.

(d) The western grand division comprises the counties of Benton, Carroll, Chester, Crockett, Decatur, Dickson, Dyer, Fayette, Gibson, Giles, Hardeman,

Hardin, Haywood, Henderson, Henry, Hickman, Houston, Humphreys, Lake, Lauderdale, Lawrence, Lewis, Madison, Maury, McNairy, Montgomery, Obion, Perry, Shelby, Stewart, Tipton, Wayne and Weakley.

SECTION 2. Tennessee Code Annotated, Section 16-3-101, is amended by deleting subsections (a) and (b) and by substituting instead the following:

(a) The supreme court shall be composed of five (5) judges.

(b) Judges of the supreme court shall be popularly elected at large by the qualified voters of the state at the regular judicial election held every eight (8) years; provided, however, not more than two (2) judges shall be so elected who reside in the same grand division, as defined in § 16-2-101.

SECTION 3. Tennessee Code Annotated, Section 16-4-102, is amended by deleting the section in its entirety and by substituting instead the following:

Judges of the court of appeals shall be popularly elected at large by the qualified voters of the state at the regular judicial election held every eight (8) years; provided, however, not more than four (4) judges shall be so elected who reside in the same grand division, as defined in § 16-2-101. Each judge shall be not less than thirty (30) years of age, shall have been a citizen and resident of the state for at least five (5) years before election, and shall be duly licensed to practice law in the state of Tennessee.

SECTION 4. Tennessee Code Annotated, Section 16-5-102, is amended by deleting the section in its entirety and by substituting instead of following:

The court of criminal appeals shall be composed of twelve (12) judges. Judges of the court of criminal appeals shall be popularly elected at large by the qualified voters of the state at the regular judicial election held every eight (8) years; provided, however, not more than four (4) judges shall be so elected who reside in the same grand division, as defined in § 16-2-101. Each judge shall be not less than thirty (30) years of age, shall have been a citizen and resident of the state for at least five (5) years before election, and shall be duly licensed to practice law in the state of Tennessee.

SECTION 5. Tennessee Code Annotated, Section 17-1-103, is amended by deleting the section in its entirety and by substituting instead the following:

Justices of the supreme court shall be popularly elected at large by the qualified voters of the state, in compliance with the requirements of § 16-3-101. Judges of the court of appeals shall be popularly elected at large by the qualified voters of the state, in compliance with the requirements of § 16-4-102. Judges of the court of criminal appeals shall be popularly elected at large by the qualified voters of the state, in compliance with the requirements of §§ 16-5-102 and 103. Chancellors, circuit judges, and judges of special courts shall be popularly elected by the qualified voters of the respective judicial districts, and special judicial districts.

SECTION 6. Tennessee Code Annotated, Title 17, Chapter 4, is amended by deleting Parts 1 and 2.

SECTION 7. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 8. This act shall take effect January 1, 2006, and shall apply to judicial elections occurring on or after the first Thursday in August, 2006.